

## Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	79109003
LAW OFFICE ASSIGNED	LAW OFFICE 115
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (016)(current)	
INTERNATIONAL CLASS	016
DESCRIPTION	
Biodegradable polymer based packaging materials, namely, films, trays and blister packs for household use in wrapping foods, beverages, and consumer products	
GOODS AND/OR SERVICES SECTION (016)(proposed)	
INTERNATIONAL CLASS	016
TRACKED TEXT DESCRIPTION	
<del>Biodegradable polymer based packaging materials, namely, films, trays and blister packs for household use in wrapping foods, beverages, and consumer products;</del> <a href="#">Biodegradable polymer based packaging materials, namely, films and blister card packs for household use in wrapping foods and beverages, and consumer products;</a> <a href="#">plastic film not for commercial or industrial purposes;</a> <a href="#">food wrapping plastic film for household use;</a> <a href="#">packaging and containers comprised of starch based biopolymer materials in the nature of a paper substitute for food, beverages and consumer products</a>	
FINAL DESCRIPTION	
Biodegradable polymer based packaging materials, namely, films and blister card packs for household use in wrapping foods and beverages, and consumer products; plastic film not for commercial or industrial purposes; food wrapping plastic film for household use; packaging and containers comprised of starch based biopolymer materials in the nature of a paper substitute for food, beverages and consumer products	
GOODS AND/OR SERVICES SECTION (017)(current)	
INTERNATIONAL CLASS	017
DESCRIPTION	
Biodegradable polymers in extruded form, namely, pellets and sheets for use in manufacturing; goods made from biodegradable polymers not included in other classes, namely, in trays and films for use in packaging food; goods made from biodegradable polymers, namely, films and trays for use as packing	

for cartons and boxes used as shipping containers	
<b>GOODS AND/OR SERVICES SECTION (017)(proposed)</b>	
INTERNATIONAL CLASS	017
<b>TRACKED TEXT DESCRIPTION</b>	
<del>Biodegradable polymers in extruded form, namely, pellets and sheets for use in manufacturing;</del> <u>Biodegradable polymers in extruded or injection moulded form, namely, pellets and sheets for use in manufacturing;</u> <del>goods made from biodegradable polymers not included in other classes, namely, in trays and films for use in packaging food;</del> <u>goods made from biodegradable polymers not included in other classes, namely, films for use in packaging foods;</u> <del>goods made from biodegradable polymers, namely, films and trays for use as packing for cartons and boxes used as shipping containers;</del> <u>goods made from biodegradable polymers, namely, films for commercial use, packing and insulating materials and packing padding for use with shipping containers;</u> <u>biodegradable nonpaper packaging and shipping buffers for physical and thermal protection of items during shipping and storage</u>	
<b>FINAL DESCRIPTION</b>	
Biodegradable polymers in extruded or injection moulded form, namely, pellets and sheets for use in manufacturing; goods made from biodegradable polymers not included in other classes, namely, films for use in packaging foods; goods made from biodegradable polymers, namely, films for commercial use, packing and insulating materials and packing padding for use with shipping containers; biodegradable nonpaper packaging and shipping buffers for physical and thermal protection of items during shipping and storage	
<b>ADDITIONAL STATEMENTS SECTION</b>	
DISCLAIMER	No claim is made to the exclusive right to use eco PLASTIC apart from the mark as shown.
<b>SIGNATURE SECTION</b>	
RESPONSE SIGNATURE	/Leonard D. Bowersox/
SIGNATORY'S NAME	Leonard D. Bowersox
SIGNATORY'S POSITION	Attorney of record, Virginia bar member
SIGNATORY'S PHONE NUMBER	7033859688
DATE SIGNED	06/03/2013
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Mon Jun 03 09:52:04 EDT 2013
TEAS STAMP	USPTO/RFR-70.182.0.184-20 130603095204927156-791090 03-500ff8f216f645bc268398 38229e74f80cf99cddafe4ddd 882094172ce789a94-N/A-N/A

## **Request for Reconsideration after Final Action To the Commissioner for Trademarks:**

Application serial no. **79109003** has been amended as follows:

### **CLASSIFICATION AND LISTING OF GOODS/SERVICES**

**Applicant proposes to amend the following class of goods/services in the application:**

**Current:** Class 016 for Biodegradable polymer based packaging materials, namely, films, trays and blister packs for household use in wrapping foods, beverages, and consumer products

Original Filing Basis:

**Filing Basis Section 66(a)**, Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

### **Proposed:**

**Tracked Text Description:** ~~Biodegradable polymer based packaging materials, namely, films, trays and blister packs for household use in wrapping foods, beverages, and consumer products;~~ Biodegradable polymer based packaging materials, namely, films and blister card packs for household use in wrapping foods and beverages, and consumer products; plastic film not for commercial or industrial purposes; food wrapping plastic film for household use; packaging and containers comprised of starch based biopolymer materials in the nature of a paper substitute for food, beverages and consumer products

Class 016 for Biodegradable polymer based packaging materials, namely, films and blister card packs for household use in wrapping foods and beverages, and consumer products; plastic film not for commercial or industrial purposes; food wrapping plastic film for household use; packaging and containers comprised of starch based biopolymer materials in the nature of a paper substitute for food, beverages and consumer products

**Filing Basis Section 66(a)**, Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

**Applicant proposes to amend the following class of goods/services in the application:**

**Current:** Class 017 for Biodegradable polymers in extruded form, namely, pellets and sheets for use in manufacturing; goods made from biodegradable polymers not included in other classes, namely, in trays and films for use in packaging food; goods made from biodegradable polymers, namely, films and trays for use as packing for cartons and boxes used as shipping containers

Original Filing Basis:

**Filing Basis Section 66(a)**, Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

### **Proposed:**

**Tracked Text Description:** ~~Biodegradable polymers in extruded form, namely, pellets and sheets for use in manufacturing; goods made from biodegradable polymers not included in other classes, namely, in trays and films for use in packaging food; goods made from biodegradable polymers, namely, films and trays for use as packing for cartons and boxes used as shipping containers; goods made from biodegradable polymers, namely, films for commercial use, packing and insulating materials and packing padding for use with shipping containers; biodegradable nonpaper packaging and shipping buffers for physical and thermal protection of items during shipping and storage~~  
Biodegradable polymers in extruded or injection moulded form, namely, pellets and sheets for use in manufacturing; goods made from biodegradable polymers not included in other classes, namely, films for use in packaging foods; goods made from biodegradable polymers, namely, films for commercial use, packing and insulating materials and packing padding for use with shipping containers; biodegradable nonpaper packaging and shipping buffers for physical and thermal protection of items during shipping and storage

Class 017 for Biodegradable polymers in extruded or injection moulded form, namely, pellets and sheets for use in manufacturing; goods made from biodegradable polymers not included in other classes, namely, films for use in packaging foods; goods made from biodegradable polymers, namely, films for commercial use, packing and insulating materials and packing padding for use with shipping containers; biodegradable nonpaper packaging and shipping buffers for physical and thermal protection of items during shipping and storage

**Filing Basis Section 66(a)**, Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

## **ADDITIONAL STATEMENTS**

### **Disclaimer**

No claim is made to the exclusive right to use eco PLASTIC apart from the mark as shown.

### **SIGNATURE(S)**

#### **Request for Reconsideration Signature**

Signature: /Leonard D. Bowersox/ Date: 06/03/2013

Signatory's Name: Leonard D. Bowersox

Signatory's Position: Attorney of record, Virginia bar member

Signatory's Phone Number: 7033859688

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 79109003

Internet Transmission Date: Mon Jun 03 09:52:04 EDT 2013

TEAS Stamp: USPTO/RFR-70.182.0.184-20130603095204927

156-79109003-500ff8f216f645bc26839838229  
e74f80cf99cddafe4ddd882094172ce789a94-N/  
A-N/A-20130603093316868061